



The Judicial Council welcomes nine new members to its 2000–2001 session, which began September 15. The new faces on the council include six judges, one court commissioner, one court executive officer, and one attorney.

Chief Justice Ronald M. George, Chair of the Judicial Council, appointed eight of the new members, and the State Bar Board of Governors named the attorney. The new members follow.

Judge Gail Andrea Andler of the Superior Court of Orange County has been on the bench since 1994. She started her legal career in public service, working for the district attorneys' offices in Los Angeles and Ventura Counties and serving as special assistant to the chief trial counsel of the State Bar. She currently volun-

Nine New Members Join Judicial Council

teers in programs for at-risk children, including the Crime and Consequences Program, which she helped develop, and Peer Court, in which she "holds court" for youthful offenders at high schools, and other students serve as jurors. In recognition of her service to the community and to the judicial system, she was selected as the judicial honoree by CASA (Court Appointed Special Advocates) in 2000 and received the Woman of Excellence Award from the Boy Scouts Learning for Life Program. She is a member of the Judicial Council's Access and Fairness Advisory Committee and Special Task Force on Court and Community Outreach.

Judge Aviva K. Bobb of the Superior Court of Los Angeles County began her career on the bench in 1980 and is presently the supervising judge of the family law department. From 1992 to 1993 she was presiding judge of the Los Angeles Municipal Court. Prior to becoming a judge, she served as executive director of the Legal Aid Foundation of Los Angeles and as executive director and staff attorney of San Fernando Valley Neighborhood Legal Services. Judge Bobb is currently a member of the Judicial Council's Court Technology Advisory Committee and Task Force on Trial Court Employees. She is a former member of the Trial Court Presiding Judges Advisory Committee and the Trial Court Budget Commission.

Attorney Rex A. Heeseman, who received his law degree from Stanford University in 1967, is a business litigator in Los Angeles. He currently serves on the Executive Committee of Luce, Forward, Hamilton &

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The new members of the Judicial Council are (left to right): Judge Ronald M. Sabraw, Superior Court of Alameda County; Judge Wayne L. Peterson, Superior Court of San Diego County; Judge Gail Andrea Andler, Superior Court of Orange County; Judge William C. Harrison, Superior Court of Solano County, 2000–2001 President, California Judges Association; Judge Aviva K. Bobb, Superior Court of Los Angeles County; Commissioner Bobby R. Vincent, Superior Court of San Bernardino County; Executive Officer Alan Slater, Superior Court of Orange County; Judge Brad R. Hill, Superior Court of Fresno County; and Los Angeles attorney Rex A. Heeseman. Photo: Shelley Eades

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Families and the Courts

Cases concerning the welfare of California families represent the largest part of the superior courts' civil workload and have increased by more than 36 percent during the past decade. The cases involve a multitude of issues including abuse, neglect, spousal support, child custody, visitation and support, divorce, domestic violence, and juvenile delinquency. In addition, many of these cases involve pro per litigants, who place a great demand on court resources.

On pages 8 and 9 of this issue, *Court News* takes a look at how courts around the state are developing innovative programs and administrative methods to address the growing number of family-related cases. First, some counties have unified their specialized courts into single family courts in an effort to increase efficiency and communication among court staff and court-related organizations. Second, the Superior Court of Santa Clara County has created a pioneering domestic violence court for juveniles. Third, courts in Los Angeles, Santa Clara, Santa Cruz, and Stanislaus Counties are utilizing the Family Group Decision Making Program, which brings together family members to resolve their conflicts with little input from the courts or the government.

In addition to those profiled in this issue, courts around the state are working to streamline operations and develop strategies to address the needs of families, a top priority for California's legal system.

Prop. 36



Proposition 36, if approved by voters on the November 7 ballot, promises to substantially change the way illegal drug users are treated by the courts. The initiative generally requires probation and drug treatment, not incarceration, for nonviolent drug possession offenses other than the sale or manufacture of drugs.

The proposition is sponsored by the California Campaign for New Drug Policies. It is opposed by groups such as Californians United Against Drug Abuse and the California Association of Drug Court Professionals.

On page 6 of this issue, *Court News* provides a summary of the initiative.



Chief Justice
Ronald M.
George

MESSAGE FROM THE CHIEF JUSTICE

Families, Pro Pers, and the Courts

On July 27 Chief Justice Ronald M. George spoke at the dedication ceremony for the Norwalk Family Law Information Center in Los Angeles County. Chief Justice George discussed the merits of family law information centers and how the judiciary is meeting the challenges facing families and the courts. The following is an excerpt from that address.

What is the purpose of the family law information centers, and why are they needed? A family and the legal system may intersect for any of a number of reasons—dissolution of a marriage, child custody disputes, family violence, substance abuse, mental illness, or neglect. And the complex issues involved can reach to every part of an individual's life, including personal safety, economic assistance, and, in the final analysis, the very structure of a family that is enmeshed in the legal system.

EQUAL ACCESS TO JUSTICE

The Judicial Council's primary goal is one that is easy to proclaim but not always easy to accomplish: to improve access to justice. The council has focused on creating comprehensive programs at all court levels to improve proceedings that affect families. And, by simplifying and standardizing court practices and procedures, we have sought to promote the quality of justice by meeting the needs of the public we serve. . . .

The court system generally has been designed to function with the participation of attorneys. The high percentage of cases in which one or both parties are unrepresented thus poses significant challenges for judges and court administrators. The magnitude of the problem of unrepresented, or pro per, litigants is most striking in the family law context. In 1998 California courts handled nearly 162,000 family law cases involving nearly 100,000 children. In more than half of these cases, at least one party did not have counsel. When the issue involves

Self-represented litigants' unfamiliarity with court procedures and forms leaves them at a great disadvantage and results in the expenditure of an inordinate amount of court resources.

child support, the numbers are even more disturbing: In more than 63 percent of these matters, neither party had counsel, and in only 16 percent of cases did both parties have legal representation.

Self-represented litigants' unfamiliarity with court procedures and forms leaves them at a great disadvantage and results in the expenditure of an inordinate amount of court resources. In some instances, providing education and information can enable a litigant to represent him- or herself adequately in a simple, uncontested matter. But in many instances, actual legal assistance or a referral to appropriate resources is absolutely crucial.

NORWALK FAMILY LAW INFORMATION CENTER

The center that we are here to celebrate today is one very important response to this critical situation. This is one of two centers in Los Angeles; the other will be at the Central District location of the superior court. Similar facilities are being set up in Fresno County, and one in Sutter County will provide services for residents of nearby Yuba and Colusa Counties as well.

Norwalk's Family Law Information Center will provide information to low-income unrepresented litigants on subjects such as the various types of relief available in family court—including restraining orders, dissolution or legal separation, paternity, child or spousal support, the disposition of property, and child custody and visitation—as well as the means that can be used to seek appropriate relief. Center personnel will explain what forms are necessary and how to ensure that the other party has been served with the required papers. They will help litigants prepare proposed orders after hearings and provide information about how the orders can be enforced.

The assistance provided by the center is not limited to traversing the legal maze but also will refer litigants to other community resources, such as low-cost legal assistance, counseling, domestic violence shelters, parenting education, mental health services, and job placement programs. . . .

ASSISTANCE FOR PRO PER LITIGANTS

This wonderful facility meshes well with the Family Law Facilitators Program. Established by the Legislature in 1996, this program provides \$11 million annually for the Judicial Council to fund an office in each county—staffed by attorneys and paralegals—that is designed to guide litigants through procedures relating to child and spousal support as well as health insurance. Family law facilitators offer unrepresented litigants individual assistance with forms, procedures, and referrals. Facilitators assist more than 30,000 unrepresented litigants each month, including some 6,000 in Los Angeles County alone. . . .

The courts have realized that in order to be most effective, they must consider alternatives outside the courtroom. For example, last year, the Legislature and the Governor, at the urging of the Judicial Council, created an Equal Access Fund to sponsor projects designed to promote improved access to justice. Ten million dollars of that money is earmarked for improving pro per projects. Called "partnership grants," these self-help projects reflect collaborative efforts between legal services programs and local courts. The grants are administered by the Legal Services Trust Fund Commission under the oversight of the Judicial Council. . . .

Other activities undertaken by the council include the preparation and dissemination of instructional videotapes and brochures that describe how to apply for and respond to domestic violence protection orders and how to obtain an uncontested dissolution or separation. Instructional materials are being prepared hand in hand with revised forms to be used in family and civil law matters. To assist in mandatory child custody mediation situations, an award-winning video has been created that orients parents to court procedures, mediation, child custody evaluations, parenting classes, and the effective presentation of information to the courts.

The range and variety of programs is exciting and is expanding. Today's ceremony is recognition of the importance of these efforts for the public we serve. Our judicial system has stepped out from behind the closed doors of the courthouses to interact with the community. Since 1998, trial courts have been engaged in comprehensive community-focused court planning efforts. The need to provide assistance to parties who represent themselves is a topic that has arisen repeatedly during this process.

Even without these formal planning efforts it would be clear that providing unrepresented litigants with useful information and education, and additional services and assistance where possible, is essential in order to provide a meaningful forum for all individuals in our society. A court system cannot be truly accessible if large numbers of individuals cannot effectively use it.

The cost of legal representation has climbed at the same time that our courts are expected to handle more and more matters involving families. We are most fortunate that so many individuals working with the judicial system are creating innovative ways to cope with these new demands, and that other agencies—probation departments, social services providers, mental health services, and all the others whose actions have profound effects on the same problems that the courts are asked to solve—are themselves working in the same direction as (and now very frequently in tandem with) the courts to find answers that work.

What is gratifying is that these efforts truly can make a difference in the lives of so many individuals and families. These programs can mean that a family will keep a child and obtain the support it desperately needs, a woman will find a new life free from violence, an abusive parent will receive the help needed to stop excessive drinking or the use of drugs, or an unemployed breadwinner will find a job that will enable his or her family to stay together.

These resolutions typically are not the grand legal decisions that are written up on the front page of the newspaper. But the effects of programs such as the Norwalk Family Law Information Center occupy a large place in the hearts and minds of the people who have benefited from them.

Judicial Council Action

New Rules for Presiding Judges and Court Execs

At its August 24 meeting, the Judicial Council adopted five new rules that clarify the duties and authority of the presiding judges and court executives of the state's trial courts and repealed current rules of court that govern the same subject areas. The new rules are designed to provide court leaders with sufficient authority to carry out their new responsibilities resulting from recent court reforms and to maintain accountability to the courts, the Legislature, and the public.

The new rules:

- ❖ Assign to the presiding judge and court executive officer general responsibilities and authority for court management;
- ❖ Lengthen the term of presiding judges in courts with three or more judges to at least two years to give the presiding judges more time to acquire the experience and skills needed to manage their courts;
- ❖ Authorize the establishment of a local executive committee to advise the presiding

judge or to develop policies and procedures for the internal management of the court;

- ❖ For the first time, establish uniform procedures, record keeping, and annual vacation leave for judges; and

- ❖ Specify experience and skills that are recommended for consideration in the selection of presiding judges.

BUDGETS APPROVED

At its August 24 meeting, the council approved the following budget allocations for the trial and appellate courts:

- ❖ Trial Court Budget Request Approved the Trial Court Budget Commission's (TCBC) proposed \$210.7 million budget for the California trial courts for fiscal year 2001–2002. It represents a 6.8 percent increase from the current year's baseline budget.

- ❖ Appellate Court Budget Request Approved fiscal year 2001–2002 budget requests of \$1.034 million and 7.5 new positions for the state Courts of

Appeal and \$1.2 million and 7 new positions for the state Supreme Court. In addition, the council approved a request to increase the salaries of judicial officers.

- ❖ Trial Court Budget Allocation Approved the TCBC's proposed allocation of fiscal year 2000–2001 trial court funds that were contained in the Budget Act of 2000. The allocations include \$110 million for costs associated with county/state transitions, court-appointed counsel, negotiated salary increases, family and children programs, court interpreters, and jury reforms.

- ❖ Trial Court Technology Allocation Approved the TCBC's proposed fiscal year 2000–2001 technology allocation of \$22 million in one-time case processing funds and \$34.4 million for caseload management, asset management, and development of trial court technology plans.

OTHER ACTIONS

The council also took the following actions:

- ❖ Rule-Making Authority Adopted a policy on its rule-making authority that states guiding principles for the analysis of the constitutionality of council rules on court administration, practice, and procedure.

- ❖ New Operational Plan Approved the council's new operational plan, which will guide council actions for the next three years. The operational plan will be distributed to the courts this fall with the republication of the council's strategic plan. It is currently posted on the Serranus Web site at <http://serranus.courtinfo.ca.gov>.

- ❖ Appellate Task Force Forwarded a report by the Appellate Process Task Force to the council's Executive and Planning Committee for referral to other committees. The task force report made a variety of recommendations to enhance the efficient operations of the intermediate appellate courts, including conversion of stand-alone Court of Appeal divisions to separate districts; encouraging the use of memorandum opinions; and requiring an annual report on Court of Appeal workloads and backlogs.

- ❖ Task Force for Unrepresented Litigants Approved the creation of this new task force, which will make recommendations to the council, the State Bar, and other institutions about measures that should be considered to improve court services for unrepresented parties. ■

Change in Key Position at AOC

This fall the Administrative Office of the Courts (AOC) will bid farewell to its accomplished chief deputy director and welcome aboard an experienced court executive to take this key position. Dennis B. Jones, who has served as chief deputy director of the AOC since 1994, was selected to become the new state court administrator of Delaware. The AOC chose Ronald G. Overholt, Executive Officer, Jury Commissioner, and Clerk of the Superior Court of Alameda County, to become its new chief deputy director.

JONES TAKES TOP COURT JOB IN DELAWARE

Mr. Jones, whose public service with the California judicial branch spans 30 years, will assume his new position in October. As the chief administrator of the Delaware courts, he will be responsible for the coordination of court administration in all state courts, including policy formation, planning, technology, legislative activities, and budget and financial oversight.

"Delaware could not have selected a more qualified person," says Administrative Director of the Courts William C. Vickrey. "During his six years as chief deputy director of the AOC, Cal-

ifornia courts have experienced more significant and far-reaching change than in any other period in the state's history, including state trial court funding, technology innovations, education, court unification, and jury reform. In all of these areas, Dennis has made immeasurable contributions to the improvement of the administration of justice in California."

"The appointment of Dennis Jones as state court administrator of Delaware confirms what we in California have known and benefited from for many years," says Chief Justice Ronald M. George. "Dennis is a gifted judicial administrator who has diverse technical and interpersonal skills. These attributes have been invaluable in developing consensus in the resolution of conflicts and controversial issues. His new position is a wonderful opportunity for Dennis and Delaware, but is a real loss for California."

Before joining the AOC, Mr. Jones held a number of prominent court positions. He served as executive officer of the Sacramento superior and municipal courts, administrator of the Sacramento Municipal Court District, director of administrative services/assistant administrator of

the Sacramento Municipal Court District, and chief of the Probate Division of the Superior Court of Sacramento County.

OVERHOLT TAKES KEY POST AT AOC

Mr. Overholt will become the new chief deputy director in mid-October. In his new position, he will have significant responsibility involving the day-to-day operations of the 370-person AOC staff and will be directly involved in statewide issues.

"Ron Overholt is a widely respected court administrator who will bring a wealth of experience and expertise in judicial administration to his new statewide responsibilities," says Mr. Vickrey. "He has been a statewide leader in the field of court administration and has played a key role in the major court reform initiatives of the last decade. I look forward to a long and rewarding professional association with Ron as he assumes his new duties."

Chief Justice George states, "This is a time of great challenge and change for the California courts, as new reforms are being implemented throughout the state. The Judicial Council, the AOC, and the state courts will benefit greatly from Ron Overholt's years of leadership and service in judicial administration as he joins the AOC's management team."

Mr. Overholt has held the top management post in the Superior Court of Alameda County for the past 13 years. In that po-

sition, he played a key role in the successful unification of the county courts, helped the courts make the transition to state funding, implemented a single county personnel system for all court employees, and implemented successful delay reduction programs. Before joining the Alameda court, Mr. Overholt held management positions with the Superior Court of San Diego County.

"I am delighted to have this opportunity to serve the courts of California and the Judicial Council," said Mr. Overholt. "I am looking forward to joining what I believe to be one of the premier organizations in the country."

Mr. Overholt is currently a member of the statewide Task Force on Trial Court Employees and the Judicial Council's Trial Court Budget Commission. He is a member of the board of directors of the County Clerks' Association and the California Association for Trial Court Administration. In addition, he is a past president and current member of the California Association for Superior Court Administration; past advisory member of the Judicial Council (1995–1998); past chair of the Judicial Council's Court Administrators Advisory Committee; and past member of the Judicial Council's Executive and Planning Committee.

Mr. Overholt has a Master of Public Administration degree and has certificates of accomplishment from the National Association for Court Management. ■



Dennis B. Jones



Ronald G. Overholt

In the News

L.A. Judiciary Receives Air Time

Citizens of Los Angeles are hearing from their judges more than ever these days. That is because several southern California judges have taken to the airwaves to reach out to the community.

Members of the Los Angeles County judiciary are volunteering on the first Saturday of each month to address listeners of "L.A. Speaks Out" on KJLH Radio (102.3 FM), hosted by Jacquie Stephens. Once a month, the show provides listeners with answers to questions about the judicial system. Topics have included domestic violence, drug courts, unlawful detainers, traffic violations, and other legal issues.

Superior Court of Los Angeles County Judges Eudon Ferrell and Eric Taylor, who started this outreach effort, have recruited judges from much of southern California to be on the

radio program. In July, Chief Justice Ronald M. George made his debut on the show during a visit to the Los Angeles area.

"This is a terrific opportunity to reach out to a large segment of Los Angeles County's minority communities and to help build awareness of the judiciary," says Judge Taylor.

Other court-related programs that have been in the news in recent months:

San Joaquin County Internships A story titled "S.J. Students Getting the Book on Legal System" described the Superior Court of San Joaquin County's summer internship program and the opportunities it affords its student participants.

Record (Stockton), July 10, 2000



On Saturday, July 1, Chief Justice Ronald M. George (left), Superior Court of Los Angeles County Presiding Judge Victor E. Chavez, and Superior Court of Los Angeles County Judge Eric Taylor addressed radio listeners of KJLH Radio's "L.A. Speaks Out." Photo: Courtesy of the Superior Court of Los Angeles County

Los Angeles County Jury Duty The editorial "A Less Burdensome Jury Duty" detailed the one-day/one-trial jury system and gave a firsthand account of how this innovation has made it easier for citizens to satisfy their jury service.

Los Angeles Times, August 13, 2000

Bar Association Awards Judge's Scholarship A story titled "Former Teen Offender Wins Judge's Scholarship" announced that the Contra Costa Bar Association had awarded a local student a \$2,500 scholarship in honor of Judge Richard Arnason, through a program created by Contra Costa judges and attorneys.

San Francisco Chronicle, August 19, 2000 ■

Cameras in the Courtroom Report Released

In July, the Administrative Office of the Courts (AOC) released *Cameras in the Courtroom*, a report summarizing three years' data from the trial courts on the implementation of rule 980 of the California Rules of Court (Photographing, recording, and broadcasting in court). The report's release brings the data collection process on rule 980 to a close. Courts are no longer required to submit copies of the *Media Request to Photograph, Record, or Broadcast*

(Form MC-500) or the *Order on Media Request to Permit Coverage* (Form MC-510) to the AOC.

In 1994 and 1995 a few high-profile cases in the California courts, such as *People v. Simpson* and *People v. Menendez*, received extensive media coverage. The widespread perception that the media's coverage of these cases created a "circus-like" atmosphere led to calls for new rules governing the use of cameras in court. Some called for a complete ban on cameras, while oth-

ers argued that the media should be granted broad access to photograph and film court proceedings.

In 1995 Chief Justice Malcolm Lucas announced the appointment of a special task force to review rule 980 in an effort to strike a balance between ensuring participants' rights to a fair trial and preserving the public's access to the justice system. The task force conducted surveys, attended forums, and held public hearings on the topic of cameras in the courtroom.

The Judicial Council reviewed the task force's recommendations and modified rule 980. To monitor its implementation, trial courts were asked to submit to the AOC copies of all forms filed pursuant to the rule. *Cameras in the Courtroom* summarizes the data received from the trial courts and provides a status update on the implementation of amended rule 980.

SUMMARY OF REPORT FINDINGS

Between January 1997 and December 1999:

◆ The AOC received 3,224 Forms MC-500, *Media Request to Photograph, Record, or Broadcast*, from 32 counties.

◆ The AOC received 2,116 Forms MC-510, *Order on Media Request to Permit Coverage*.

◆ Eighty-one percent of the orders granted the media's request for coverage; 19 percent denied the media's request.

◆ There was substantial variation among counties, with some granting as few as 59 percent of media requests and others granting as many as 98 percent of media requests.

◆ The media most often asked to cover arraignments (28 percent), followed by verdict or sentencing hearings (16 percent), pretrial hearings (14 percent), and trials (12 percent).

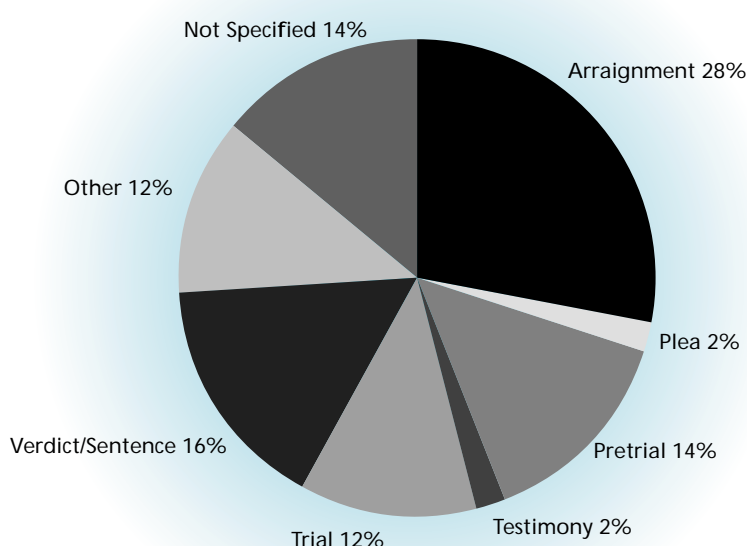
◆ The media most often asked to use television cameras in court (55 percent), followed by still cameras (23 percent) and audio equipment (22 percent).

◆ Hearings were held on 8 percent of media requests for coverage.

Although the final report on cameras in the courtroom is complete, the AOC encourages courts to continue monitoring media requests and orders if such monitoring will benefit court operations. In addition, a reference manual titled *Photographing, Recording, and Broadcasting in Courtrooms* is available on the California Courts Web site at www.courtinfo.ca.gov/reference/cameras-toc.htm. Representatives of the media can refer to the manual for guidance on completing the media request forms.

● *Cameras in the Courtroom* is available on the California Courts Web site at www.courtinfo.ca.gov/reference or on the Serranus Web site at <http://serranus.courtinfo.ca.gov>. ■

Types of Proceedings That Media Requested Permission to Cover



Source: *Cameras in the Courtroom*